

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC., PRODUCTS LIABILITY
LITIGATION**

MDL No. 2419

(SEE ATTACHED SCHEDULE)

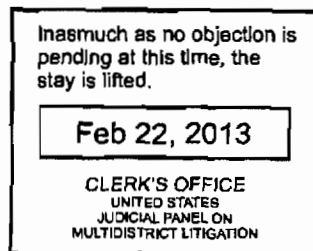
CONDITIONAL TRANSFER ORDER (CTO -1)

On February 12, 2013, the Panel transferred 4 civil action(s) to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* ___ F.Supp.2d ___ (J.P.M.L. 2013). Since that time, no additional action(s) have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable F. Dennis Saylor.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Massachusetts and assigned to Judge Saylor.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the District of Massachusetts for the reasons stated in the order of February 12, 2013, and, with the consent of that court, assigned to the Honorable F. Dennis Saylor.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

**IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC., PRODUCTS LIABILITY
LITIGATION**

MDL No. 2419

SCHEDULE CTO-1 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
FLORIDA MIDDLE			
FLM	5	12-00630	York v. New England Compounding Pharmacy, Inc.
INDIANA NORTHERN			
INN	3	12-00615	Tolbert v. New England Compounding Pharmacy Inc
INN	3	12-00683	Landon et al v. New England Compounding Pharmacy Inc
INN	3	12-00712	Tacy v. New England Compounding Pharmacy Inc et al
INN	3	12-00726	Shrock et al v. New England Compounding Pharmacy Inc
INN	3	12-00736	Rethlake v. New England Compounding Pharmacy Inc
INN	3	12-00737	Schrock et al v. New England Compounding Pharmacy Inc et al
INN	3	12-00738	Copsey v. New England Compounding Pharmacy Inc et al
INN	3	12-00739	Klemm v. New England Compounding Pharmacy Inc et al
INN	3	12-00740	Wyres v. New England Compounding Pharmacy Inc et al
INN	3	12-00741	Tallman v. New England Compounding Pharmacy Inc et al
INN	3	12-00749	Rohrer et al v. New England Compounding Pharmacy Inc et al
INN	3	12-00775	Huff v. New England Compounding Pharmacy Inc
INN	3	12-00819	Pavlekovich et al v. New England Compounding Pharmacy Inc et al
INN	3	12-00820	Oblinger et al v. New England Compounding Pharmacy Inc et al
INN	3	12-00821	Lambert v. New England Compounding Pharmacy Inc et al
INN	3	12-00822	Ginther et al v. New England Compounding Pharmacy Inc et al
INN	3	12-00823	

Case MDL No. 2419 Document 129 Filed 02/22/13 Page 3 of 6

			Geisler et al v. New England Compounding Pharmacy Inc et al
INN	3	12-00840	Keller v. New England Compounding Pharmacy Inc et al
INN	3	12-00841	Rhodes v. New England Compounding Pharmacy Inc et al
INN	3	12-00842	Maloney v. New England Compounding Pharmacy Inc et al
INN	3	12-00843	Raeder v. New England Compounding Pharmacy Inc et al
INN	3	12-00844	Legg v. New England Compounding Pharmacy Inc et al
INN	3	12-00845	Islas v. New England Compounding Pharmacy Inc et al
INN	3	13-00006	Baer et al v. New England Compounding Pharmacy Inc et al
INN	3	13-00007	Hartman et al v. New England Compounding Pharmacy Inc, etc, et al
INN	3	13-00022	Ellison v. New England Compounding Pharmacy Inc et al
INN	3	13-00023	Kniffen v. New England Compounding Pharmacy Inc et al
INN	3	13-00024	Jewel v. New England Compounding Pharmacy Inc et al
INN	3	13-00025	Raiff v. New England Compounding Pharmacy Inc et al

INDIANA SOUTHERN

INS	1	12-01638	COPASS v. NEW ENGLAND COMPOUNDING PHARMACY INC. et al
-----	---	----------	---

MARYLAND

MD	1	13-00183	Trope et al v. New England Compounding Pharmacy Inc. et al
----	---	----------	--

MICHIGAN EASTERN

MIE	2	12-14662	Doyon et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-14820	Klaserner v. New England Compounding Pharmacy, Inc.
MIE	2	12-14822	Otto v. New England Compounding Pharmacy, Inc.
MIE	2	12-14824	Adkins et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-14847	Rye et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-14848	Alverado et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-14849	Nelson et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-14855	

Case MDL No. 2419 Document 129 Filed 02/22/13 Page 4 of 6

			Drew et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-14856	Raab et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-14857	Clark et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-15082	Shoop et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-15083	Mattila et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-15084	Peters et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-15237	Vargo et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-15238	Krueger et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-15239	Huggett v. New England Compounding Pharmacy, Inc.
MIE	2	12-15240	Mazure et al v. New England Compounding Pharmacy, Inc.
MIE	2	12-15241	Carmichael et al v. New England Compounding Pharmacy, Inc.
MIE	4	12-14818	Hall et al v. New England Compounding Pharmacy, Inc.
MIE	4	12-15242	Smith et al v. New England Compounding Pharmacy, Inc.
MIE	5	12-15243	Ruttman v. New England Compounding Pharmacy, Inc.
MIE	5	13-10027	Greenlee et al v. New England Compounding Pharmacy, Inc. et al

MICHIGAN WESTERN

MIW	1	12-01363	Briggs v. New England Compounding Pharmacy, Inc. et al
MIW	1	12-01367	Smoot et al v. New England Compounding Pharmacy, Inc. et al

MINNESOTA

MN	0	12-02707	Ross v. New England Compounding Pharmacy, Inc.
MN	0	12-02841	Peterson v. New England Compounding Pharmacy, Inc.
MN	0	12-02938	Stanley v. New England Compounding Pharmacy, Inc.

NEW JERSEY

NJ	1	12-07176	MARKO et al v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07179	PENNINGTON v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07180	HANNAH v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al

Case MDL No. 2419 Document 129 Filed 02/22/13 Page 5 of 6

NJ	1	12-07711	LEAVERTON, ET AL. v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07712	JONES v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07713	RAMOS v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07714	RIOS et al v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07715	RIVERA et al v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07716	TOLOTTI et al v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07717	TAYVINSKY et al v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07718	ZAVACKI v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07724	LETIZIA et al v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	12-07725	GOULD et al v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	13-00274	TISA et al v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
NJ	1	13-00291	NORMAND et al v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al

TENNESSEE MIDDLE

TNM	1	12-00177	McElwee et al v. New England Compounding Pharmacy, Inc.
TNM	2	12-00115	Lewis et al v. New England Compounding Pharmacy, Inc. et al
TNM	2	12-00117	O'Brien et al v. New England Compounding Pharmacy, Inc. et al
TNM	3	12-01223	Higdon et al v. New England Compounding Pharmacy, Inc.
TNM	3	12-01224	Slatton et al v. New England Compounding Pharmacy, Inc.
TNM	3	12-01233	Rybinski v. New England Compounding Pharmacy, Inc.
TNM	3	12-01234	Bryant v. New England Compounding Pharmacy, Inc.
TNM	3	12-01240	Wray et al v. New England Compounding Pharmacy, Inc.
TNM	3	12-01254	Miller v. New England Compounding Pharmacy, Inc.
TNM	3	12-01255	Ragland v. New England Compounding Pharmacy, Inc.
TNM	3	12-01257	Sullivan et al v. New England Compounding Pharmacy, Inc.
TNM	3	12-01258	Chambers v. New England Compounding Pharmacy, Inc.
TNM	3	12-01259	Peay v. New England Compounding Pharmacy, Inc.
TNM	3	12-01260	Brinton v. New England Compounding Pharmacy, Inc.
TNM	3	12-01275	Russell et al v. New England Compounding Pharmacy, Inc.

TEXAS EASTERN

TXE 4 12-00687 Herson v. New England Compounding Pharmacy,
Inc., et al

TEXAS NORTHERN

TXN 3 12-04200 Cavanaugh v. New England Compounding Pharmacy,
Inc

VIRGINIA WESTERN

~~VAW 7 12-00562 Radford v. New England Compounding Pharmacy,
Inc. et al Opposed 2/21/2013~~
~~VAW 7 12-00563 Whittaker v. New England Compounding Pharmacy,
Inc. et al Opposed 2/21/2013~~
~~VAW 7 12-00564 Walker v. New England Compounding Pharmacy, Inc.
et al Opposed 2/21/2013~~
~~VAW 7 12-00565 Sherrill v. New England Compounding Pharmacy, Inc.
et al Opposed 2/21/2013~~
~~VAW 7 12-00566 Clark v. New England Compounding Pharmacy, Inc.
et al Opposed 2/21/2013~~
VAW 7 12-00576 Wingate v. New England Compounding Pharmacy,
Inc. et al
~~VAW 7 12-00584 Brown v. New England Compounding Pharmacy, Inc.
et al Opposed 2/21/2013~~
~~VAW 7 12-00585 Lathicum v. New England Compounding Pharmacy,
Inc. et al Opposed 2/21/2013~~
~~VAW 7 12-00586 Taliaferro v. New England Compounding Pharmacy,
Inc. et al Opposed 2/21/2013~~
VAW 7 12-00598 Rhodes v. New England Compounding Pharmacy, Inc.
VAW 7 12-00604 Smith v. New England Compounding Pharmacy, Inc.
et al
VAW 7 12-00605 McFarlane v. New England Compounding Pharmacy,
Inc. et al
VAW 7 12-00606 Bradley v. New England Compounding Pharmacy,
Inc. et al
VAW 7 12-00608 Kalinoski v. New England Compounding Pharmacy,
Inc. et al
VAW 7 12-00609 Filson v. New England Compounding Pharmacy Inc.
et al
~~VAW 7 12-00614 Powell v. New England Compounding Pharmacy, Inc.
et al Opposed 2/21/2013~~

I hereby certify on 2/25/13 that the
foregoing document is true and correct copy of the

- ☐ electronic docket in the captioned case
☒ electronically filed original filed on 2/24/13
☐ original filed in my office on _____

Sarah A. Thornton
Clerk, U.S. District Court
District of Massachusetts

By: Sherry Jones
Deputy Clerk